

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ROD EDDIE et al.,

Plaintiffs,

-v-

SCOTTSDALE INSURANCE COMPANY,

Defendant.

Case No. 07-CV-3457 (KMK)

ORDER

KENNETH M. KARAS, District Judge:

This Court's Individual Rules of Practice require a pre-motion conference in most circumstances. (Individual Rule of Practice II.A). On February 20, 2008, the Court held such a pre-motion conference in which Defendant sought, and was granted, leave to move for summary judgment. Counsel for Plaintiffs, who failed to appear at the conference and participated by telephone only when the Court reached him at that time, did not then and has not since sought leave to cross-move for summary judgment. Nevertheless, on April 22, 2008, Plaintiffs served on Defendant and submitted to the Court a cross-motion for summary judgment. It is therefore:


ORDERED that Plaintiffs' Cross-Motion for Summary Judgment is DENIED without prejudice for failure to comply with the Court's rules of individual practice; and it is further

ORDERED that Plaintiffs' Memorandum of Law in Opposition to Defendant's Motion for Summary Judgment and In Support of Plaintiffs' Cross-Motion for Summary Judgment dated April 22, 2008, shall be deemed only to oppose Defendant's Motion; and it is further

ORDERED that Defendant's time to reply is extended until May 13, 2008, so as to allow preparation of a pleading consistent with this Order.

SO ORDERED.

Dated: May 2, 2008
White Plains, New York


KENNETH M. KARAS
UNITED STATES DISTRICT JUDGE